

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 STEPHEN LEE,

No. 08-5656 MMC

12 Plaintiff,

**JUDGMENT**

13 v.

14 CAPITAL ONE BANK (USA), N.A., et al.,

15 Defendants

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17 In accordance with the offer of defendants NCO Financial Systems, Inc. and NCO  
18 Portfolio Management, Inc. to allow judgment to be taken against them pursuant to Rule 68  
19 of the Federal Rules of Civil Procedure, and the acceptance thereof by plaintiff Stephen  
20 Lee, said documents filed May 1, 2009, it is hereby ORDERED, ADJUDGED and  
21 DECREED as follows:

22 1. Plaintiff Stephen Lee shall have judgment against defendants NCO Financial  
23 Systems, Inc. and NCO Portfolio Management, Inc. in the amount of two thousand dollars  
24 (\$2000) as statutory damages pursuant to the Fair Debt Collection Practices Act, 15 U.S.C.  
25 § 1692 et seq., and the Rosenthal Act, Cal. Civ. Code § 1788 et seq.

26 2. Plaintiff Stephen Lee shall have further judgment against defendants NCO  
27 Financial Systems, Inc. and NCO Portfolio Management, Inc. in the amount of five hundred  
28 dollars (\$500) as actual damages.

1       3. Plaintiff Stephen Lee is entitled to reasonable costs and attorney's fees now  
2 accrued in connection with the above-captioned civil action against defendants NCO  
3 Financial Systems, Inc. and NCO Portfolio Management, Inc., and said costs and fees shall  
4 be added to the instant judgment as against defendants NCO Financial Systems, Inc. and  
5 NCO Portfolio Management, Inc. in the amount agreed to between the parties or, if the  
6 parties are unable to agree, in the amount to be determined by the Court upon motion by  
7 plaintiff Stephen Lee.

8       4. This judgment is in total settlement of any and all claims by plaintiff Stephen Lee  
9 against defendants NCO Financial Systems, Inc. and NCO Portfolio Management, Inc., and  
10 said settlement shall have no effect whatsoever, except in settlement of those claims.

11       5. This judgment is not to be construed either as an admission that defendants  
12 NCO Financial Systems, Inc. and NCO Portfolio Management, Inc. are liable in this action,  
13 or that plaintiff Stephen Lee has suffered any damage, or that defendants NCO Financial  
14 Systems, Inc. and NCO Portfolio Management, Inc. caused any damage.

15       **IT IS SO ORDERED.**

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17 Dated: May 6, 2009  
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MAXINE M. CHESNEY  
United States District Judge

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